

**Minutes of the Planning Commission Regular Meeting of Tuesday, June 19, 2018
Council Chambers, One Twin Pines Lane, Belmont, CA**

ROLL CALL 7:00 P.M.

Planning Commission members Present: Kramer, Majeski, Goldfarb, McCune, Meola, Hendrix
Planning Commission members Absent: Pyrz

Staff Present: Community Development Director de Melo, City Attorney Rennie, Associate Planner Dietz, Planning Technician Shek, and Administrative Assistant Lynn

PLEDGE OF ALLEGIANCE

Led by Commission Chair Goldfarb

COMMUNITY FORUM

There were no speakers from the public

COMMISSIONER ANNOUNCEMENTS / AGENDA AMENDMENTS

None

CONSENT CALENDAR

A. Minutes of June 5, 2018

ACTION: Meeting Minutes approved 5 Ayes, 0 Noes, 1 Absent, 1 abstain

STUDY SESSION

None

PUBLIC HEARINGS

7. A. 1651 Francis Avenue-Single Family Design Review

Planning Technician Shek provided an overview of the proposed project to construct a new 690 square foot second floor and 45 square foot first floor addition to an existing 1,522 square foot single-family residence. Staff findings stated the project is in compliance with Residential Design Guidelines and Residential Design Criteria; it is well designed and articulated; public views are not impacted; no grading required on site; and the site is well landscaping and would be maintained. Staff recommended approval.

Chair Goldfarb invited the architect to speak.

Suanne Bassett, architect, stated that staff went over everything and she had nothing to add.

Commissioners stated that no ex-parte communications were made.

In response to the Commission, staff stated there would be no trees removed in this project.

Chair Goldfarb opened the Public Hearing. No speakers came forward. Chair Goldfarb closed the Public Hearing.

ACTION: On a motion by Commissioner Meola, seconded by Commissioner Majeski to approve a new 690 square foot second floor and 45 square foot floor addition to the existing 1,522 square foot single-family residence. Approved 6-0-1 (6 Ayes, 0 No, 1 Absent)

Chair Goldfarb stated this item is appealable within 10-calendar days.

7. B. 1503 Folger Drive-Single Family Design Review

Planning Technician Shek summarized the staff report to consider a Single-Family Design Review to demolish the existing house and construct a new 3,030 square foot two-story home. Three 15-gallon trees will replace one protected tree. Staff findings indicated the project is in compliance with Residential Design Guidelines and Residential Design Criteria; is well designed and articulated; public views are not impacted; minor grading required on site; and the proposed site is well landscaped and existing landscaping would be maintained.

Commissioners stated that no ex-parte communications were made.

COMMISSION COMMENTS

In response to Commission comments, staff stated that the project is required to replace a minimum of one 15-gallon tree with the removal of the one protected tree. The proposed plans include 3 15-gallon trees to be planted and complies with the ordinance in relation to the removal/replacement of trees.

Commissioner Kramer inquired why the findings were not laid out with the protected tree removal in the resolution. Community Development Director deMelo stated they would rereview the City Code to confirm entitlement status related to the individual tree removal.

In response to Commission comments, the project contractor stated the reasoning for removing the one protected tree is due to the home design to build forward, thus having to remove the tree. They will be using the same footprint of the current house but shifting slightly where the current tree is located. He additionally stated that if they pushed the home back, they would have to dig into the hillside.

During Commissioner Majeski's site visit, he noticed the tree had caused damage to the existing site foundation in that vicinity. He stated that in his opinion, you would have to move the home farther back to protect the tree.

Commissioner Meola indicated she is fine with the project moving forward, as they have complied with the process.

Staff indicated they went through the City tree ordinance and stated there should have been additional analysis within the report about the tree mitigation and justification for its removal. Staff queried the Commission on the design portion of the project, as this item will have to come back to the Commission to address the individual tree to be removed with the requisite findings.

Chair Goldfarb opened the Public Hearing. No speakers came forward. Chair Goldfarb closed the Public Hearing.

Commissioners stated they can make the findings for the design portion of the project, and all concurred they would be able to approve the tree removal entitlement when it comes back based on the project scope.

Staff indicated they would bring the tree report and findings for the tree removal at the next Commission meeting.

ACTION: On a motion by Commissioner McCune, seconded by Commissioner Meola to continue this item to the July 17th meeting. Approved for continuance 6-0-1 (6 Ayes, 0 No, 1 Absent)

7. C. Zoning Text Amendment to Floor Area Transfer Process

Associate Planner Dietz provided a presentation recapping the proposed Zoning Text Amendment from the May 15th Commission meeting and provided information that was requested by the Commission regarding several additional items to help provide background and context to the project and a map of lots that are eligible to receive transfers. Staff stated the findings are consistent with the San Juan Hills Area Plan (SJHAP) and General Plan (GP); the proposed ZTA would better implement the goals, objectives and policies; and the ZTA is consistent with the SJHAP and GP, and staff recommends approval of this item.

Chair Goldfarb opened the Public Hearing.

19 Speaker Slips were submitted. The speaker forum comments ranged from concerns and opposition to those in favor of the Zoning Text Amendment and project approval.

Public speakers in attendance:

Phillip Hertel, Warren Gibson, David Miclean, Yvonne Ong, Kip Leong, Matt Stewart, Xueyao Liang, Carol Rossi, Hashim, Amar Desai, Roy Schnabel, Mark Schulte, Meng Huang, Mohamad Bailong, Jeff Kraft, Tan Tsengt, Adam Naser, Maya Fallaha, Faye Lei

At the conclusion of the public comments, Chair Goldfarb moved to take a short break.

Meeting called back to order at 8:30pm.

Chair Goldfarb closed the Public Hearing; Community deMelo motioned to request a vote to formally close the Public Hearing. Public Hearing closed Approved 6-0-1 (6 Ayes, 0 No, 1 Absent)

In response to Chair Goldfarb's request to respond to public comments, Community Director deMelo Clarified answers to public comments and questions:

- Irrespectively if the amendment does get adopted or not, relative to the Floor Area Transfer Process, there are still other steps to go through in order to develop the lot, including plan submittal and review, public hearing, development process and review, building permit process, and inspections for compliance.
- Relative to roadway safety issues- The City has a Parking Traffic and Safety Committee that addresses issues raised by the public on road widths, signage, safety, turns, access, red curb, etc. Anyone from the public can submit a Traffic Safety Form and the item will be reviewed by the committee, which consists of staff members from Public Works, Fire, and Police Departments.
- Staff stated that when attending a Public Meeting, it is in the best interest to use courtesy and respect in providing comments, reiterating that the Zoning Text Amendment is not related to an individual person and pertains to the zoning regulations for all HRO-2 lots. Any individual can facilitate an application.
- Maintenance of the vacant lots/conservation easements is the property owners' responsibility. The Fire Department will send out abatement letters, Code Enforcement will

contact the property owner for blight, and work with the Fire Department on overgrowth issues, and the Public Works Department will notify property owners for overgrowth/garbage in the right-of-way adjacent to the property. The public can also contact the City with complaints on any property with blight or overgrowth and the City will handle appropriately.

COMMISSION COMMENTS

Commissioner Meola cannot support the Zoning Text Amendment for the following reasons: in her assessment, she believes the ZTA is not consistent with the general-purpose statement; there are no standards for the maintenance obligations, this is an alteration regarding the Environmental Impact Analysis; and mitigation or alteration measures have not been considered.

Commissioner McCune can support, but the plan is convoluted and includes a complicated formula that is not very intuitive.

Commissioner Kramer can support but concurs with Commissioner McCune's comments

Commissioner Majeski can support and feels it is consistent. He additionally stated his appreciation for the process in a public forum for opinions to be heard.

Chair Goldfarb can support and found consistency in the GP, BVSP, and SJHAP.

Staff responded to Chair Goldfarb, stating a floor area transfer cannot take place from a lot that already has any type of structure, including a shed, that it is already a "developed" lot. Additionally, staff stated that suggestions for additional language that should be considered by the public might be reasonable, but they are not part of the scope for this project.

Attorney Rennie elaborated on the foundation for the floor area process, stating that in the SJHAP, the site development standards speak to retiring the more challenging lots.

Commissioner Hendrix can support and thought it was a good policy to incentivize undeveloped lots to Conservation Easements. He concurred with Commissioner McCune's comments, and had concerns with safety and geological issues. Attorney Rennie responded to Commissioner Hendrix on the safety and seismic issue, stating that the environmental analysis is prepared for general application, whereas the CEQA analysis that would be performed on a site would be performed at the project level, not at the level of the Zoning Ordinance.

ACTION: On a motion by Commissioner Majeski, seconded by Commissioner Hendrix to recommend City Council adopt an ordinance amending Belmont Zoning Ordinance Section 4.7.11 (d) to allow floor area transfers between any two lots within the HRO-2 Zoning District. Approved for Council recommendation 5-1-1 (5 Ayes, 1 No, 1 Absent)

OTHER BUSINESS / UPDATES

There is no meeting on July 3rd. The next meeting will take place on July 17th.

Staff announced the Autobahn Motors Ribbon Cutting to take place on July 19th from 4pm-7pm.

ADJOURNMENT at this time being 9:14 PM to a regular meeting of the Planning Commission to be held on July 17, 2018.

Diane Lynn
Administrative Assistant

Meeting televised and web streamed